

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Christopher W. Frazier,
403 Bushy Creek Road
Easley, S.C. 29642.

SCDOI File Number: 122563.

**Default Order Revoking
All Licensing Privileges**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2004), by the State of South Carolina Department of Insurance upon above named respondent, by both certified mail, return receipt requested, and by regular mail on August 15, 2005.

By that letter, Mr. Frazier was informed of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. Further, he was warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a resident insurance producer within the State of South Carolina. Despite that warning, he has failed to request a public hearing. On September 28, 2005, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance producer within the State of South Carolina, Christopher Frazier had incurred into fraudulent activities, involving among other acts, the sale of certificates of insurance and workers' compensation exclusion forms to Hispanic subcontractors.

S.C. Code Ann. § 38-43-130(A)(Supp. 2004) provides: "The director or his designee may suspend or revoke an agent's license after ten day's notice...when it appears that an agent has violated this title or any regulation promulgated by the Department, or has willfully deceived or dealt unjustly with the citizens of this State. Subsection(C)(7) clearly defines those words to "include, but not limited to, action or inaction by the producer, or having admitted or been found to have committed any insurance unfair trade practice or fraud." Similarly, Subsection(C)(8) states in part: "using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State, or elsewhere."

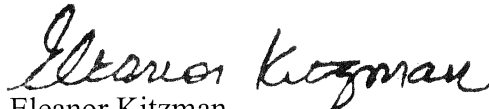
In accordance with my findings of fact, and considering Christopher Frazier's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that he violated S.C. Code Ann. §38-43-130(Supp.2004). Therefore, all his insurance licensing privileges should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-40-10, *et seq.* (1991 and Supp. 2004). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110 (4) (Supp. 2004).

It is therefore ordered that Christopher W. Frazier's license to transact business as a resident insurance producer within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Mr. Frazier is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer within the State of South Carolina.

This order takes effect upon the date of my signature below.


Eleanor Kitzman
Director

Sep 30, 2005, at
Columbia, South Carolina

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Affidavit of Default


Personally appeared before me Rachel Harper, who, being duly sworn, stated that at all times relevant to this Affidavit of Default she was the attorney representing the State of South Carolina Department of Insurance (the Department) in this administrative action. She further stated the following:

The Department served notice on Christopher Frazier, at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance producer within the State of South Carolina in thirty days. The Department served the Notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2004), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." The Notice further informed Mr. Frazier of his opportunity, **within thirty days**, to request in writing a public hearing.

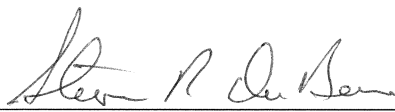
The Department mailed the Notice by certified mail, return receipt requested, and by regular mail, on or about August 15, 2005. The United States Postal Service attempted delivery on at least five separate occasions, to no avail. Our Department's letter was returned to us unopened.

Christopher Frazier has made no request for a public hearing, nor provided any other response to the Department's letter. Respondent has also failed to provide our Department with a current address. The time in which to do so has expired. He is now in default.

Rachel Harper
Associate General Counsel


South Carolina Department of Insurance
Post Office Box 100105
Columbia, South Carolina 29202
(803) 737-6132

Sworn to and subscribed before me
this ³⁰ day of September, 2005.



Steven R. DuBois
Notary Public for the State of South Carolina
My Commission Expires: August 14, 2008 May 10, 2009